HON'BLE SHRI G.S. SINGHVI, THE CHIEF JUSTICE

AND

HON'BLE SHRI JUSTICE G.V. SEETHAPATHY

WRIT APPEAL NO.877 OF 2005

BETWEEN

The Commissioner and Director of School Education, Hyderabad & others

.....Appellant

And

R. Sailasree, Kurnool & another

.....Respondents

:: JUDGMENT ::

Counsel for the Appellant : Government Pleader for School Education.

Counsel for Respondent Nos.1 and 2 : Shri Kasa Jaganmohan Reddy

Dated: 27.06.2006

Per G.S.Singhvi, CJ

This appeal is directed against order dated 14-2-2005

passed by the learned Single Judge in Writ Petition No. 17302 of 1999 whereby he quashed order dated 31-1-1997 issued by District Educational Officer, Kurnool declining approval to the appointment of respondent No.1 as a teacher in Coles Memorial Junior College, Kurnool.

After arguing the case for some time, learned Government Pleader for School Education submitted that the appellants may be permitted to withdraw this appeal with liberty to file an application for review of the order under challenge on the ground that one of the points argued during the course of hearing has not been dealt with by the learned Single Judge.

The request of the learned Government Pleader is accepted and the appeal is dismissed as withdrawn with liberty in terms of the prayer made.

At this stage, learned counsel for respondent No.1 pointed out that despite the unequivocal direction given by the Division Bench on 19-6-2006, the concerned authorities of the Education Department have failed to faithfully implement the order passed by the learned Single Judge.

In the context of the aforementioned submission of the learned counsel, it is sufficient to observe that if respondent No.1 is aggrieved by non-implementation or in-complete implementation of the direction given by the Division Bench, she shall be free to avail appropriate legal remedy, including the one by filing contempt petition.

G.S.SINGHVI, CJ

G.V.SEETHAPATHY, J

27-6-2006
ksld/GRR